

**REMARKS/ARGUMENTS**

Claims 1-7, 28-47 and 51 are currently pending.

**CLAIM REJECTIONS - 35 USC § 102(e)**

The Examiner has rejected Claims 1-3, and 7 as being anticipated by U.S. Patent No. 6,697,840 ("Godefroid"). The applicant respectfully traverses this rejection.

Godefroid is directed to a collaborative infrastructure implementing rules for "presence awareness" among a number of users. (col. 6, lines 50-67). The system has a plurality of user interfaces each connected to a separate controller. The controllers are connected to each other and to a server via a "collaboration bus." The "PA server" hosts a "PA database that stores awareness information such as users' private data, user activities, and awareness preference settings." (col. 7, lines 2-5).

Claim 1 of the application under exam states

A dynamic virtual network on which participating members can establish partnerships, communicate, and share information, the network comprising:

a network authority including a computer programmed for network administration;

at least a first network member and a second network member, each member including a computer comprising means for communicating over a global network:

at least a first network access device and a second network access device, wherein the first access device is accessible by the first network member and the second access device is accessible by the second network member, each of the first network access device and the second network access device storing information about the corresponding one of the first network member and the second network member such that the information is searchable by the other one of the first network member and the second network member; and

for each network access device and the network authority,

an interface facilitating connection to a global network.

The Examiner alleges that Godefroid discloses “at least a first network access device and a second network access device, wherein the first access device is accessible by the first network member and the second access device is accessible by the second network member, each of the first network access device and the second network access device storing information about the corresponding one of the first network member and the second network member such that the information is searchable by the other one of the first network member and the second network member.”

Godefroid does not disclose network access devices storing information that is searchable by other network access devices. In Godefroid, the information that is searchable is stored on a central “PA database” not the individual network devices. (col. 7, lines 3-5, 45-49). “In the PA system, the PA Database and PA server form a centralized database which stores all awareness information, such as all users’ private data, users’ activities and awareness preferences settings.” Nowhere does Godefroid disclose or suggest that individual network devices have direct access to other individual network devices. In fact, the whole point of Godefroid is to protect the privacy of individual network devices by having a centralized database, the PA Database, that stores only awareness information. (col. 7, lines 45-61).

In addition, Godefroid does not disclose “an interface facilitating connection to a global network.” Godefroid only discloses a “collaborative communications system” (see Fig. 1), without any connection to a global network.

For these reasons, Claim 1 is believed to be allowable. Claims 2, 3 and 7 depend from

Claim 1 and are allowable for at least the reasons explained above with respect to Claim 1.

**CLAIM REJECTIONS - 35 USC § 103(a)**

The Examiner has rejected **Claims 28-36, 38-44, 47 and 51** under 35 USC 103(a) as being unpatentable over U.S. Patent No. 6,907,463 (“Kleinpeter III”) in view of U.S. Patent No. 6,105,027 (“Schneider”). The Examiner has repeated verbatim the grounds for rejection of these claims from previous office communications dated June 21, 2007 and June 14, 2006. The applicant renews and incorporates the response to this rejection contained in the appeal brief filed on August 21, 2007 and the Response to Final Rejection filed October 16, 2006.

The Examiner has rejected **Claims 4 and 45** under 35 USC 103(a) as being unpatentable over Godefroid in view of Schneider. With respect to Claim 4, which depends from Claim 1, Claim 4 is allowable at least for the reasons explained above for Claim 1. Schneider does not disclose the deficiencies in Godefroid explained above with respect to Claim 1.

Claim 45 depends from Claim 36, which states a method comprising “transmitting and contemporaneously archiving information from a first network member to a second network member; and receiving and contemporaneously archiving the transmitted information by the second network member.” Godefroid does not disclose or suggest this. As explained above, in Godefroid, information about network members is stored in a central database, not other network members. The Examiner states that Claim 45 is substantially similar to Claim 4, however Claim 1, from which Claim 4 depends does not state “transmitting and contemporaneously archiving information from a first network member to a second network member.” The Examiner has not pointed to any portion of Godefroid that discloses or suggests this. Schneider does not disclose or suggest the deficiencies in Godefroid. Additionally, the applicant refers to the previous

response to the Examiner's rejection of Claim 36, from which Claim 45 depends. As stated above, the applicant incorporates and preserves the response detailed in the appeal brief filed on August 21, 2007 and the Response to Final Rejection filed October 16, 2006 for Claim 36. As Claim 36 is allowable for these reasons, so is Claim 45.

The Examiner has rejected **Claims 5, 6, 37 and 46** under 35 USC 103(a) as being unpatentable over Godefroid in view of Kleinpeter III.

With respect to Claims 5 and 6, which depends from Claim 1, Claims 5 and 6 are allowable at least for the reasons explained above for Claim 1. Schneider does not disclose the deficiencies in Godefroid explained above with respect to Claim 1. Therefore Claims 5 and 6 are believed to be allowable.

With respect to Claims 37 and 46, each of these claims depends from Claim 36. The applicant incorporates the remarks made above with respect to Claim 45, which also depends from Claim 36. Neither Godefroid nor Kleinpeter III., either alone or in combination disclose or suggest state "transmitting and contemporaneously archiving information from a first network member to a second network member." Therefore, Claims 36 and 46 are believed to be allowable.

## **Conclusion**

In view of the foregoing remarks, the applicant respectfully submits that the Examiner's rejections have been overcome, and that the application, including Claims 1-7, 28-47 and 51 is in condition for allowance. Reconsideration and withdrawal of the Examiner's rejections and an early Notice of Allowance are respectfully requested.

Should the Examiner believe that anything further is desirable in order to place the

application in even better condition for initial examination and allowance, the Examiner is invited to contact Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,

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